

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHNNY L. FRANKLIN JR.,

Petitioner,

vs.

GAIL LEWIS,

Respondent.

Case No. 2:03-CV-0279-RRB-KJM

ORDER DENYING PETITION

Petitioner, a state prisoner proceeding through counsel, has filed for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On February 24, 2006, the Magistrate Judge filed Findings and Recommendations herein which were served on all parties and which contained notice to all parties that any objections to the Findings and Recommendations were to be filed within twenty days. Petitioner has filed Objections to the Findings and Recommendations. Petitioner's objections are directed primarily at the legal conclusions reached by the magistrate Judge and do not

raise any factual disputes. The Magistrate Judge's analysis of the law, however, was accurate.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)© and Local Rule 72-304, this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, and considered the objections raised by the petitioner, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The Findings and Recommendations filed February 24, 2006, are adopted in full; and
2. Petitioner's Petition for Writ of Habeas Corpus is **DENIED**.

ENTERED this 16th day of May, 2006.

/s/ RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE